

July 28, 2022

FOIA Information Officer
National FOIA Office
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2310A)
Washington, DC 20460

Re: Freedom of Information Act Request

Dear Sir/Madam:

Pursuant to the Freedom of Information Act (FOIA), I request copies of the records described below from the United States Environmental Protection Agency (EPA). This request is directed toward any office, subdivision, or personnel that may have responsive records, and in particular offices, subdivisions, and personnel that are familiar with the subject area of this request and will be able to identify and locate responsive records with a reasonable amount of effort, including, but not limited to, EPA Headquarters, EPA Region 5, EPA Office of Inspector General, and EPA Office of Environmental Justice.

1. All records relating to the Technical Assistance Grant (TAG) program for the USS Lead Superfund Site in East Chicago, including, but not limited to, applications by, awards to, management of, and oversight by EPA of any applicants, prospective applicants, and recipients, including, but not limited to, the East Chicago Calumet Coalition Community Advisory Group Inc.¹ or any other person or entity, including, but not limited to, all application forms, grant proposals, proposed grant budgets, TAG agreements (and any negotiations regarding the requirements included therein), quarterly progress reports, finance status reports, annual reports, final reports, audit documents, records regarding technical advisors (and any advice and/or guidance sought from and/or provided by EPA

¹ East Chicago Calumet Coalition Community Advisory Group Inc. is also referred to as East Chicago Calumet Coalition Community Advisory Group, ECCC CAG, East Chicago Calumet Coalition, East Chicago / Calumet Coalition, EC CC, Community Advisory Group, and/or CAG.

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regarding the identification and selection of a technical advisor), outputs and outcomes for environmental results (and any advice and/or guidance sought from and/or provided by EPA regarding the identification and/or reporting of the outputs and outcomes), and correspondence, communications, and/or emails regarding the TAG program at the USS Lead Superfund Site.

2. All records relating to any lead contamination survey conducted of residential areas surrounding the U.S. Smelter and Lead Refinery, Inc. property in East Chicago, Indiana, including, but not limited to, requests for and the reasons that prompted each such survey, the results of each such survey, and questions and/or comments received regarding each such survey.
3. All records relating to the public meeting held on June 20, 1996 regarding the proposed partial remedy under the Resource Conservation and Recovery Act for the U.S. Smelter and Lead Refinery, Inc. property in East Chicago, Indiana, including, but not limited to, notices, transcripts, minutes, summaries, sign-in sheets, lists of attendees, reports, and questions and/or comments submitted to EPA regarding the proposed partial remedy.
4. All records relating to the public meeting held in East Chicago, Indiana in September 1996 regarding the U.S. Smelter and Lead Refinery, Inc. property in East Chicago, Indiana, including, but not limited to, notices, transcripts, minutes, summaries, sign-in sheets, lists of attendees, reports, and questions and/or comments regarding the meeting.
5. All records relating to any correspondence, communication, and emails with any person or entity (including, but not limited to, the East Chicago Calumet Coalition Community Advisory Group,² We the People for East Chicago, Community Strategy Group,³ Calumet Lives Matter, East Chicago Undivided, the Lake County Assessor's Office, and/or the Lake County Assessor) regarding the USS Lead Superfund Site, the former

² *See id.*

³ Community Strategy Group is also referred to as CSG, Community Strategy Group – East Chicago, and/or CSG EC.

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DuPont East Chicago facility, and/or the U.S. Smelter and Lead Refinery, Inc. property in East Chicago, including, but not limited to:

- a. the removal and replacement of lead service lines by the City of East Chicago at properties located within the USS Lead Superfund Site;
 - b. health effects and risks to human health from exposure to any contaminant in the water, soil, air, groundwater, interior dust, paint, or any other element at the former DuPont East Chicago facility, the U.S. Smelter and Lead Refinery, Inc. property, and/or any property located within the USS Lead Superfund Site;
 - c. the method(s) used to investigate and/or conduct any remediation of any contaminants at the former DuPont East Chicago facility, the U.S. Smelter and Lead Refinery, Inc. property, and/or any property located within the USS Lead Superfund Site;
 - d. programs, trainings, and events held at the USS Lead Superfund Site to address Environmental Justice factors, such as the Superfund 101 class and the USS Lead Superfund Job Training Initiative; and/or
 - e. the impact of any contaminant on the value of properties located within the USS Lead Superfund Site.
6. All records relating to investigations, notices, surveys, questionnaires, and correspondence, communications, and/or emails with any person or entity regarding basement sump pumps, sump water, and/or basement flooding at any property located within the area that is now known as the USS Lead Superfund Site, including, but not limited to, the presence and/or source of any contaminants, remediation of any contaminants, and/or groundwater use.
 7. All records relating to the public listening sessions held by EPA's Office of Inspector General in East Chicago regarding the USS Lead Superfund Site, including, but not limited to, notices, correspondence, communications, emails, presentations, transcripts, minutes, summaries, notes, sign-in sheets, lists of attendees, questionnaires, and comments and/or questions submitted by any person or entity, including, but not limited to, the East Chicago Calumet Coalition Community Advisory

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Group,⁴ We the People for East Chicago, Community Strategy Group,⁵ Calumet Lives Matter, the East Chicago Common Council, the City of East Chicago, Hoosier Environmental Council, Environmental Advocacy Clinic (Northwestern University Pritzker School of Law), and/or Abrams Environmental Law Clinic (The University of Chicago Law School), as documented in Report No. 21-P-0223 entitled *EPA's Office of Land and Emergency Management Lacked a Nationally Consistent Strategy for Communicating Health Risks at Contaminated Sites* (Sept. 9, 2021).

8. All records released in response to the FOIA Request assigned tracking number EPA-R5-2022-001663.

This request seeks records in any form, whether recorded in writing, electronically, or by any other means.

FOIA provides that agencies are required by statute to release requested records responsive to a FOIA request unless the agency “reasonably foresees that disclosure would harm an interest protected by an exemption” to FOIA or “disclosure is prohibited by law.” 5 U.S.C. § 552(a)(8)(A)(i). FOIA further provides that if an agency finds that some parts of records containing requested information are exempt from mandatory disclosure, then nonexempt material shall be disclosed after the exempt material has been redacted. 5 U.S.C. § 552(b). Therefore, if EPA determines some portion of a document that is responsive to this request is exempt, please provide a copy of the remainder of the records as well as an index of records and information withheld, the exemption invoked to justify any withholding, an estimation of the volume of records and information withheld, the exemption invoked to justify any withholding, an estimation of the volume of records withheld, and the reason the agency reasonably foresees that disclosure would harm an interest protected by a FOIA exemption or is otherwise prohibited by law.

I am willing to reimburse search and duplication fees up to \$500 incurred by EPA related to this request. If such fees are expected to exceed \$500, please contact me before proceeding.

Best regards,

s/Sarah Prather

Sarah Prather

⁴ See note 1.

⁵ See note 3.